United Nations CERD/C/SDN/Q/12-16

International Convention on the Elimination of All Forms of Racial Discrimination

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Committee on the Elimination of Racial Discrimination
Eighty-sixth session
27 April–15 May 2015
Item 4 of the provisional agenda
Consideration of reports, comments and information submitted by States parties under article 9 of the Convention

List of themes in relation to the combined twelfth to sixteenth periodic reports of the Sudan (CERD/C/SDN/12-16)

Note by the Country Rapporteur

The Committee on the Elimination of Racial Discrimination decided at its seventy-sixth session (A/65/18, para. 85) that the Country Rapporteur would send to the State party concerned a short list of themes with a view to guiding and focusing the dialogue between the State party's delegation and the Committee during the consideration of the State party's report. This document contains a list of such themes. This is not an exhaustive list; other issues may also be raised in the course of the dialogue. No written replies are required.

1. The Convention in domestic law (arts. 1, 2 and 4)

(a) Information on court cases in which the provisions of the Convention have been invoked and applied by domestic courts.

(b) Updated information on anti-discrimination legislation, including compliance with the definition of racial discrimination contained in the Convention.

(c) Progress in amending article 64 of the State party's Criminal Code with a view to making racial discrimination a specific offence, in line with article 4 (a) of the Convention.

(d) Compliance of the mandate and capacity of the National Human Rights Commission with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles), and activities undertaken by the Commission contributing to the elimination of racial discrimination.

2. Discrimination against ethnic or ethno-religious minorities (arts. 2-7)

(a) Ethnic composition of the State party's population and its geographical distribution, disaggregated by region and state.

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(b) Progress achieved in guaranteeing all Sudanese people full enjoyment of their human rights (CERD/C/304/Add.116, para 11). In particular, steps taken to reduce the vulnerability of members of ethnic minorities to police harassment, including arrest, prolonged detention, ill-treatment and torture, owing to their non-Arab origin or their colour.

(c) Measures to preserve the ethnic and cultural diversity of the South Kordofan and Blue Nile states, in particular, the customs and traditions of the Nuba peoples. Information on steps to facilitate access to basic services and justice by the populations in those states.

(d) The situation of the ethnic and tribal groups in the Red Sea and Kassala states, who reportedly are among the poorest in the State party, lack access to basic services and do not enjoy equal allocation of resources. Progress in implementing the 2006 Eastern Sudan Peace Agreement.

(e) Updated information on the situation of internally displaced persons in the State party (CERD/C/304/Add.116, para 14).

(f) Political representation of ethnic minorities and the access of members of ethnic minorities to employment, particularly in the public sector, the army, the police and the security services.

3. Situation of non-citizens, including refugees and asylum seekers (arts. 5 and 7)

(a) The 2011 amendment to the nationality law and its impact on South Sudanese people living in the State party, including the risk of statelessness.

(b) Measures to prevent and investigate cases of trafficking of Eritrean asylum seekers and refugees.

4. Access to justice (art. 6)

(a) Access to the courts and to effective remedies for victims of racial discrimination, including in the context of the Darfur conflict.

(b) Information on the independence of the Constitutional Court, and progress attained in adopting the legal aid bill.

5. Training, education and other measures to combat discrimination (arts. 2 and 7)

(a) Fight against racial discrimination, including on ethno-religious grounds. Updated information on the 2013 national plan for the protection and promotion of human rights in the Sudan, and plans to develop and adopt a comprehensive anti-discrimination policy.

(b) Training programmes or courses provided to government officials, the judiciary, State law officials, teachers, social workers and other public officials to raise awareness about the Convention and its provisions.